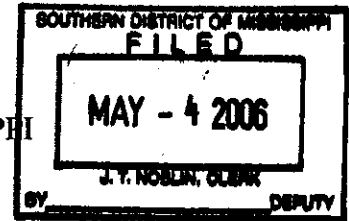


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION



WERNE & ASSOCIATES, INC.

PLAINTIFF

VS.

CIVIL ACTION NO. 3:05cv192-WHB-JCS

METAL SALES MANUFACTURING  
CORPORATION

DEFENDANT

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ORDER OF DISMISSAL

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This cause was set on the docket of the Court on this date for a telephonic case management conference. The Court was informed that the parties have reached a compromise and settlement of all pending claims in this matter. Accordingly, the Court being desirous of removing this matter from its docket;

IT IS, THEREFORE, ORDERED that this action be, and it is hereby dismissed with prejudice as to all parties. If any party fails to consummate this settlement within thirty (30) days, any aggrieved party may reopen the case for enforcement of the settlement agreement within ten (10) days; and if successful, all additional attorneys' fees and costs from this date shall be awarded such aggrieved party or parties against the party failing to consummate the agreement.

IT IS FURTHER ORDERED AND ADJUDGED that this matter having been concluded, all motions pending in this matter, if any, are hereby moot and accordingly dismissed.

ORDERED, this the 1st day of May, 2006.

A handwritten signature in black ink, appearing to read "James E. ...", written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE